

Amendments to the Drawings:

The attached five (5) sheets of drawings include four (4) replacement sheets depicting FIGS. 1-6d and one (1) new sheet depicting FIG. 6e. Changes have been made to all of FIGS. 1-5 and 6a, 6b, 6c, and 6d to improve the quality of the drawings and to add numbers indicating the number of each drawing sheet. New FIG. 6e likewise indicates the number of its drawing sheet. These sheets replace the original sheets depicting FIGS. 1-5. and 6a, 6b, 6c, and 6d, and add FIG. 6e with the new sheet of drawings.

Handwritten numerals in FIGS. 1-6d have been replaced with printed numerals. In amended FIG. 1 the style of numeral 11, which the Examiner thought was the letter M, has been changed to give numeral 11 the appearance of an American 11 instead of the German 11.

FIG. 3 has been amended to have the reference numeral 13 denote the user end with an arrow. The arrow 13 points to the area where the grip area is. The grip area is intended to be gripped by the user, and thus is referred to in the specification as the user end. This user end is the end that the user has to grip whereas the other side of the tape is intended to be fixed to the diaper.

FIG. 3 has also been amended to change "VI" to "IV" which indicates a detail area, embodiments of which are shown in FIGS.

6a through 6d. In FIG. 6c, the lines from 11 have been made dashed. In FIG. 6d, the line from the uppermost 11 has been made dashed. FIG. 6e on the new sheet illustrates the features of claim 16, with film 22a, and its perforation spots 23a, and film 31 comprising two separate film-like grip areas having surfaces with different macroscopic structures.

FIG. 6d has been amended to remove the text shown in the area of the separate grip area.

Attachments: Four (4) Replacement sheets of drawings and one (1) new sheet of drawings.

REMARKS/ARGUMENTS

The claims are 1, 3-16, and 24-26. Claim 1 has been amended to better define the invention and to incorporate the subject matter of claim 2. Accordingly, claim 2 has been canceled, and claim 3, which previously depended on claim 2, has been amended to depend on claim 1. Claim 26 has been amended in a manner similar to claim 1, and claims 27 and 28 have been canceled without prejudice. In addition, claim 5 has been amended to better define the invention, and the specification has been amended to correct the informalities noted by the Examiner. The drawings have also been amended and a new drawing has been added. Reconsideration is respectfully requested.

The Examiner did not enter the amendments to the specification provided with the May 18, 2009 and the June 16, 2009 Amendments, except for the abstract presented on May 18, 2009, and did not approve the drawings on the basis of certain informalities. Therefore, Applicants substantially resubmit the previously requested amendments to the specification, have resubmitted four (4) replacement sheets of drawings and one new sheet of drawings, with a detailed explanation of the changes in the "Amendments to the Drawings" section herein. With respect to the Examiner's objection to the drawings under 37 CFR 1.83(a) as failing to show the features of claim 16, in addition to new FIG. 6e, the Examiner's attention is respectfully directed to FIG. 6d which shows a first film 54 and a second film 55. Film 54

carries letters, and film 55 has some different embossing (not shown) .

It is respectfully submitted that the foregoing amendments and new drawing sheet overcome the Examiner's objections to the specification and the drawings previously submitted.

For example, the requested amendments to the specification include underlined portions where appropriate. The entire paragraph [34] is now presented with the requested amendment to the specification instead of only a portion of the paragraph.

Paragraph [02] of the specification has been amended to remove terms which are not clear, not concise and inexact. The paragraph added before line 1 of page 1 of the specification now includes a paragraph number. Subtitles to the various sections of the specification in accordance with 37 CFR 1.77(b) are added with this amendment to the specification. The specification has also been amended to describe the area "IV" in FIG. 3 and to clarify the separate grip area in paragraphs [19] and [48] of the specification.

It is respectfully requested that the amendments to the specification be entered, that the amended drawing sheets and the new drawing sheet be approved, and that any rejections or

objections of the Examiner to the specification under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claims 1-16 and 24-28 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1 and 26 were cited as being indefinite for using the phrase "no remaining hooks". Claims 1 and 26 have been amended to remove this phrase. These claims also recite that the separate grip area is of "a different type of material." Claim 5 was further noted as not clearly specifying which surface has embossing. Claim 5 has been amended to recite that the "surface of the separate grip area has embossing." Claims 27 and 28 have been canceled without prejudice.

Accordingly, it is respectfully requested that the Examiner's rejection of the claims under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1-3, 5-15, and 24-28 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Long et al. U.S. Patent No. 6,210,389*. Claims 4 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Long et al.* or alternatively under 35 U.S.C. § 103(a) as being obvious over *Long et al.* The Examiner noted that Applicants' limitation of claim 1 of a separate grip area did not require individual pieces of material and could be met by different pieces of the same material spaced

apart from each other. The Examiner also noted that the claims 27 and 28 did not set forth how the material of the grip area is different from the material of the closing area.

These rejections are respectfully traversed.

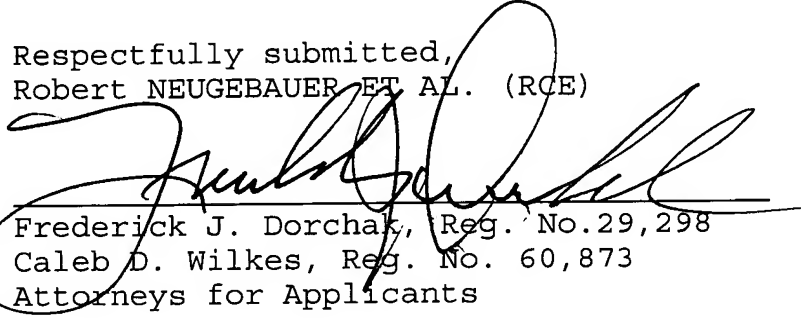
As set forth in claims 1 and 26 as amended, Applicants' invention provides a fastening tape for a hygiene item and a hygiene item containing same wherein the fastening tape has a protruding section with a separate grip area formed by a structurally independent component that is structurally independent from a closing area and is of a different type of material than the material of the closing area.

It is respectfully submitted that *Long et al* fails to disclose or suggest a fastening tape or hygiene item containing same with a structurally independent grip area structurally independent from the closing area that is of a different type of material from that the material of the closing area. Accordingly, it is respectfully submitted that claims 1 and 26 as amended, together with claims 3-16 and 24 and claim 25, which depend directly or indirectly on claims 1 and 26 as amended respectively, are patentable over *Long et al*.

In summary, claims 1, 3, 5, and 26 have been amended and claims 2 and 27-28 have been canceled. The specification has also been amended and four (4) replacement sheets of drawings have been submitted, and one (1) new sheet of drawings has been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
Robert NEUGEBAUER ET AL. (RCE)

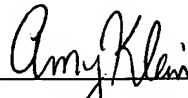
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802


Frederick J. Dorchak, Reg. No. 29,298
Caleb D. Wilkes, Reg. No. 60,873
Attorneys for Applicants

FJD:cdw

Enclosures: Appendix with four (4) replacement sheets of drawings and one (1) new sheet of drawings

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 30, 2009.



Amy Klein

APPENDIX